2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Working paper of the Chair of Main Committee I

I. Review of the operation of the Treaty, as provided for in its article VIII (3), taking into account the decisions and the resolution adopted by the 1995 NPT Review and Extension Conference, the Final Document of the 2000 Review Conference and the conclusions and recommendations for follow-on actions of the 2010 Review Conference.

The Conference reaffirms the need for full and effective implementation of the Treaty on the Non-Proliferation of Nuclear Weapons, as well as of Decision 2 "Principles and Objectives for Nuclear Non-Proliferation and Disarmament" of the 1995 Review and Extension Conference, the "Final Document" of the 2000 Review Conference and the "Conclusions and Recommendations for Follow-on Actions" of the 2010 Review Conference.

A. Articles I and II and first to third preambular paragraphs

1. The Conference reaffirms that the full and effective implementation of the Treaty and the regime of nuclear non-proliferation and nuclear disarmament in all its aspects has a vital role in promoting international peace and security. The Conference reaffirms that every effort should be made to implement the Treaty in all its aspects and to prevent the proliferation of nuclear weapons and other nuclear explosive devices without hampering the peaceful uses of nuclear energy by States parties to the Treaty. The Conference recognizes that the full and effective implementation of the Treaty is a common responsibility of all States parties to the Treaty and remains convinced that universal adherence to the Treaty and full compliance of all parties with all its provisions are the best way to prevent the spread of nuclear weapons and other nuclear explosive devices.

2. The Conference notes that the nuclear-weapon States reaffirmed their commitment not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices directly, or indirectly, and not in any way to assist, encourage or induce any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices, in accordance with article I of the Treaty.

3. The Conference notes that the non-nuclear-weapon States parties to the Treaty reaffirmed their commitment not to receive the transfer from any transferor

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whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly, not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, and not to seek nor receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices, in accordance with article II of Treaty.

4. The Conference recalls that the non-nuclear-weapon States entered into legally binding commitments not to receive, manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices in the context, inter alia, of the corresponding legally binding commitments by the nuclear-weapon States to nuclear disarmament in accordance with the Treaty.

5. The Conference reaffirms the commitment of States parties to the effective implementation of the Decisions and the Resolution adopted by the 1995 Review and Extension Conference, the Final Document adopted by the 2000 Review Conference and the conclusions and recommendations for follow-on actions adopted at the 2010 Review Conference.

6. The Conference reaffirms that the strict observance of all the provisions of the Treaty remains central to achieving the shared objectives of the total elimination of nuclear weapons, preventing under any circumstances the use and further proliferation of nuclear weapons, and preserving the Treaty's vital contribution to peace and security.

7. The Conference emphasizes that responses to concerns over compliance by nuclear-weapon States and by non-nuclear-weapon States with any obligation under the Treaty by any State party should be pursued by diplomatic means, in accordance with the provisions of the Treaty.

8. The Conference recognizes that the slow pace of the implementation of nuclear disarmament obligations and commitments, concerns over breaches of the Treaty's obligations and the lack of universality, undermine confidence in the Treaty.

9. The Conference recalls the commitment by all States parties to pursue policies that are fully compatible with the Treaty and the obligation of all States parties to achieve a world without nuclear weapons in accordance with article VI of the Treaty.

10. The Conference underscores the necessity of the full and non-discriminatory implementation of articles I and II of the Treaty by all States parties, including the nuclear-weapon States, to prevent the proliferation of nuclear weapons.

11. The Conference welcomes the accession of the State of Palestine to the Treaty, without prejudice to the positions of State parties, and reaffirms the urgency and importance of achieving the universality of the Treaty.

12. The Conference affirms that the accession to the Treaty by all States not party, as non-nuclear-weapon States, is an urgent priority and is essential for achieving the universality of the Treaty, and that all States parties must make every effort to achieve this objective and refrain from taking any actions that could negatively affect the prospects for the universality of the Treaty.

13. The Conference emphasizes the importance of ensuring the equal participation of both women and men in the process of nuclear non-proliferation, nuclear disarmament and the peaceful uses of nuclear energy.

B. Article VI and eighth to twelfth preambular paragraphs

14. The Conference notes the reaffirmation by all States parties of their commitment to the full and effective implementation of article VI of the Treaty.

15. The Conference recalls and reaffirms the importance of the full implementation by all States parties, including the nuclear-weapon States, of article VI of the Treaty, paragraphs 3 and 4 (c) of the 1995 Review and Extension Conference Decision entitled "Principles and objectives for nuclear non-proliferation and disarmament", the practical steps for achieving nuclear disarmament agreed by consensus in the Final Document of the 2000 Review Conference as well as the conclusions and recommendations for follow-on actions agreed by the 2010 Review Conference.

16. The Conference reaffirms the need for the nuclear-weapon States to comply fully with their nuclear disarmament obligations under the Treaty and completely implement their unequivocal nuclear disarmament commitments, including the 13 practical steps and the plan of action for nuclear disarmament, that were agreed by consensus at the 2000 and 2010 Review Conferences of the Treaty, in order to accomplish the total elimination of their nuclear weapons.

17. The Conference underlines the importance of practical steps for the systematic and progressive efforts for the full realization and effective implementation of article VI of the Treaty to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons, and by all States of general and complete disarmament under effective international control.

18. The Conference notes the agreement by the nuclear-weapon States on a common reporting framework and the submission of their national reports at the third session of the Preparatory Committee held in 2014 and at the 2015 Review Conference, pursuant to the relevant actions of the conclusions and recommendations agreed at the 2010 Review Conference. The Conference welcomes the further information provided by some nuclear-weapon States with respect to the number of nuclear weapons in their national inventories.

19. The Conference notes the meetings of the nuclear-weapon States held in Paris (2011), Washington (2012), Geneva (2013), Beijing (2014) and London (2015) that fostered dialogue and common approaches amongst themselves to strengthen the Treaty and the continuation of this process and related bilateral efforts. The Conference notes the agreement between the nuclear-weapon States on a common reporting form and the submission of a glossary of key nuclear terms, which does not alter the definitions or meanings of any nuclear terms in international treaties, international commitments or national laws or regulations.

20. The Conference recognizes and welcomes the steps taken to implement the Treaty between the Russian Federation and the United States of America on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, and the significant reductions in deployed and non-deployed nuclear weapons, including their declaration of dismantling nuclear weapon delivery vehicles.

21. The Conference also notes the fulfilment as declared by the United Kingdom of its commitment made in 2010 to further reduce its stockpile of nuclear weapons, as well as the completion of its planned reductions in the number of operationally available nuclear warheads. The Conference notes the reaffirmation as declared by China to keep its nuclear weapon capabilities at the minimum level required for national security and of its policy of the no-first use of nuclear weapons at any time. The Conference further notes the actions taken as declared by France on nuclear disarmament, including the completion of reductions by one-third of the air-borne component of its nuclear forces and the irreversible dismantlement of its production facilities for fissile material for nuclear weapons.

22. Conference reaffirms the importance of the implementation of the principles of transparency, verifiability and irreversibility of measures relating to nuclear disarmament by the nuclear-weapon States pursuant to article VI of the Treaty as reaffirmed in action 2 of the "Conclusions and recommendations for follow-on actions" agreed by the 2010 Review Conference.

23. The Conference notes with concern that despite the achievements in bilateral and unilateral nuclear arms reductions, the total estimated number of nuclear weapons deployed and in stockpiles of the nuclear-weapon States still amounts to several thousands and many hundreds remain on high alert. In that context, the Conference expresses its deep concern at the humanitarian consequences that would result from any nuclear conflagration. The Conference stresses in this regard that reductions in deployments and in operational status are welcome but cannot substitute for the irreversible elimination of nuclear weapons as required under article VI of the Treaty

24. The Conference recognizes that the indefinite extension of the Treaty at the 1995 Review and Extension Conference did not imply the indefinite possession of nuclear weapons by the nuclear-weapon States, and that any such assumption is incompatible with the objective and purpose of the Treaty, with the integrity and sustainability of the nuclear non-proliferation regime, and with the broader objective of maintaining international peace and security.

25. The Conference reaffirms the unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, to which all States parties are committed under Article VI, and affirms the importance of achieving and maintaining a world without nuclear weapons. The Conference supports treaty-based nuclear disarmament and nuclear non-proliferation and the need to revitalize the UN disarmament machinery.

26. The Conference notes the high-level meeting of the United Nations General Assembly on nuclear disarmament (26 September 2013) and the adoption of Resolution 6/32 which, inter alia, called for the urgent commencement of negotiations in the Conference on Disarmament for the early conclusion of a comprehensive convention on nuclear weapons and the decision to convene no later than 2018 a high-level international conference on nuclear disarmament to review the progress made in this regard. The Conference also notes the decision by the General Assembly to declare 26 September as the "International Day for the Total Elimination of Nuclear Weapons".

27. The Conference reaffirms that the total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons, including the risk of their unauthorized, unintentional or accidental detonation.

28. The Conference acknowledges the understandings and concerns pertaining to the devastation that would be visited upon all humankind by a nuclear war and the consequent need to make every effort to avert the danger of such a war and to take measures to safeguard the security of peoples, with a view to achieving the objective of a world without nuclear weapons.

29. The Conference recognizes and notes the growing interest during the 2010-2015 review cycle of a majority of non-nuclear-weapon States parties in the international discourse on the catastrophic humanitarian consequences of the use of nuclear weapons. The Conference notes that conferences were held in Oslo (March 2013), Nayarit (February 2014) and Vienna (December 2014) which added to the knowledge of States and civil society of the horrific consequences of nuclear weapons.

30. The Conference welcomes the Joint Statement by Austria on behalf of **[159]** States parties on the Humanitarian Consequences of Nuclear Weapons that inter alia noted that such consequences affect not only governments but each and every citizen of an inter-connected world and have deep implications for human survival, for the environment and that awareness of this must underpin all approaches and efforts towards nuclear disarmament.

31. The Conference notes the Austrian Pledge endorsed by **[84]** States Parties including the Community of Latin American and Caribbean States (CELAC) which met at the level of Heads of State.

32. The Conference also notes the Joint Statement by Australia on behalf of **[26]** States parties on the Humanitarian Consequences of Nuclear Weapons.

33. The Conference affirms that the use of nuclear weapons would have immediate and long-term consequences, which are significantly graver than previously understood, and that no State or international organization could adequately address the humanitarian emergency caused by such use. The Conference reaffirms that all States at all times must comply with applicable international law, including international humanitarian law. The Conference stresses the importance of spreading awareness of the humanitarian impact of nuclear weapons across international borders and to future generations.

34. The Conference recalls the International Court of Justice advisory opinion on the *Legality of the Threat or Use of Nuclear Weapons* issued at The Hague on 8 July 1996 that "the threat or use of nuclear weapons would generally be contrary to the rules of international law applicable in armed conflict, and in particular the principles and rules of humanitarian law".

35. The Conference reiterates its deep concern that the Conference on Disarmament did not agree on and implement a comprehensive and balanced programme of work and did not commence negotiations on any nuclear disarmament related instrument during 2010 to 2015.

36. The Conference welcomes the high-level meeting of the United Nations General Assembly (26 September 2013), and the adoption of Resolution 68/32 in which the General Assembly inter alia called for the urgent commencement of

negotiations in the Conference on Disarmament for the early conclusion of a comprehensive convention on nuclear weapons and the decision to convene no later than 2018 a high-level international conference on nuclear disarmament to review the progress made in this regard. The Conference also welcomes the decision by the General Assembly to declare 26 September as the "International Day for the Total Elimination of Nuclear Weapons".

37. The Conference notes the efforts and discussions pursued within the United Nations General Assembly related to revitalizing the multilateral disarmament machinery on taking forward multilateral nuclear disarmament negotiations, including the Open-ended Working Group to develop proposals for the achievement and maintenance of a world without nuclear weapons pursuant to United Nations General Assembly resolution A/RES/67/56

38. The Conference takes note of the work of the group of governmental experts, established pursuant to United Nations General Assembly resolution A/RES/67/53, to make recommendations on possible aspects that could contribute to but not negotiate a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices on the basis of document CD/1299 and the mandate contained therein.

39. The Conference welcomes that **[183]** States have signed the Comprehensive Nuclear-Test-Ban Treaty (CTBT) and that **[164]** States, including 36 whose ratification is necessary for its entry into force, have deposited instruments of ratification. In this respect, the Conference welcomes the ratification of the CTBT since the 2010 Review Conference by Angola, Brunei Darussalam, Chad, Congo, Ghana, Guatemala, Guinea, Guinea-Bissau, Indonesia, Iraq and Niue.

40. The Conference reaffirms the importance of the entry into force as soon as possible of the CTBT, recalling the responsibility of all States to promote that Treaty.

41. The Conference further reaffirms the importance of the CTBT as a vital multilateral instrument for nuclear disarmament and nuclear non-proliferation. The Conference recognized that clear actionable steps are required to achieve the entry into force of the CTBT and its universalization.

42. The Conference recalls United Nations Security Council resolution 984 (1995) noting the unilateral statements by each of the nuclear-weapon States, in which they gave conditional or unconditional security assurances against the use and the threat of use of nuclear weapons to non-nuclear-weapon States parties to the Treaty and the relevant protocols established pursuant to nuclear-weapon-free zones, recognizing that treaty-based unconditional and conditional security assurances are available to such zones.

43. The Conference notes the urgency for the Conference on Disarmament to consider effective, universal, non-discriminatory, unconditional, legally binding arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons by all nuclear-weapon States, with a view to elaborating recommendations dealing with all aspects of this issue, including an internationally legally binding instrument, and recognizes of the need to fully honour and uphold all existing security assurances given unilaterally and multilaterally.

44. The Conference welcomes efforts towards the development of nuclear disarmament verification capabilities that will contribute to providing assurance of compliance with nuclear disarmament agreements for the achievement and maintenance of a nuclear-weapon-free world, including the new and continuing initiatives pursued by Norway, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

45. The Conference welcomes the increased and positive interaction with civil society during the review cycle and greater engagement with non-governmental organizations in the context of the review process of the Treaty, as well as in the pursuit of nuclear disarmament and nuclear non-proliferation objectives.

46. The Conference recognizes that greater and accelerated efforts are required to implement article VI of the Treaty, paragraphs 3 and 4 (c) of the 1995 Review and Extension Conference Decision entitled "Principles and objectives for nuclear non-proliferation and disarmament", the practical steps for achieving nuclear disarmament agreed by consensus in the Final Document of the 2000 Review Conference, as well as the conclusions and recommendations for follow-on actions agreed by the 2010 Review Conference, particularly on the part of the nuclear-weapon States, including through the specification of concrete benchmarks and timelines as agreed in the present document:

1. The Conference agrees that understandings and concerns pertaining to the catastrophic humanitarian consequences of any nuclear weapon detonation underpin and should compel urgent efforts by all States leading to a world without nuclear weapons. The Conference affirms that, pending the realization of this objective, it is in the interest of the very survival of humanity that nuclear weapons never be used again.

2. The Conference calls for the pursuit of all effective measures for the full implementation of article VI.

3. The Conference calls upon all nuclear-weapon States, in implementing their unequivocal undertaking, to reduce further and eliminate, in a transparent, irreversible and verifiable manner and in a way that promotes international stability, peace and security and based on principle of undiminished and increased security for all, all types of nuclear weapons, strategic and non-strategic, deployed and non-deployed, regardless of location, including through negotiations as well as unilateral, bilateral, regional and multilateral measures.

4. The Conference encourages the Russian Federation and the United States of America to commence negotiations at an early date to achieve greater reductions in their stockpiles of nuclear weapons, including non-strategic nuclear weapons, with a view to concluding such negotiations as soon as possible. The Conference acknowledges the importance of the Russian Federation and the United States of America addressing all issues related to strategic stability in the nuclear disarmament process.

5. The Conference also encourages the nuclear-weapon States to engage over the course of the next review cycle of the Treaty with a view to achieving rapid reductions in the global stockpile of nuclear weapons.

6. The Conference calls upon the nuclear-weapon States to cease the development of advanced new types of nuclear weapons as well as the qualitative improvement of existing nuclear weapon systems that are designed to support new military missions or provide for new military capabilities.

7. The Conference calls upon all States concerned to continue to review their military and security concepts, doctrines and policies over the course of the forthcoming review cycle with a view to reducing substantively or eliminating the role and significance of nuclear weapons therein.

8. The Conference urges the nuclear-weapon States to undertake all efforts necessary to comprehensively address risks associated with unintended, unauthorized or accidental use of nuclear weapons, including, inter alia, those stemming from threats posed by non-state actors and by the potential vulnerability of command and control systems to cyber threats.

9. Pending the total elimination of nuclear weapons, the Conference emphasizes the need to reduce rapidly, as an interim measure, the operational status of nuclear weapon systems, leading to a phased removal of all nuclear weapons from high alert levels, with a view to increasing international stability and security while lowering the humanitarian risks associated with nuclear weapons.

10. The Conference encourages the nuclear-weapon States to build upon and expand their efforts to enhance transparency and increase mutual confidence, including by intensifying their discussions on definitions and terminology related to nuclear weapons, with a view to facilitating and accelerating nuclear disarmament.

11. The Conference calls upon the nuclear-weapon States to continue their engagement on a standard reporting format and to provide annual reports on their nuclear disarmament-related undertakings and, starting in 2017, to include the following information on: (i) the number, type (strategic or non-strategic) and status (deployed or non-deployed) of nuclear warheads; (ii) the number and the type of delivery vehicles; (iii) the measures taken to reduce substantively or eliminate the role and significance of nuclear weapons in military and security concepts, doctrines and policies; (iv) the measures taken to reduce the risk of unintended, unauthorized or accidental use of nuclear weapons; (v) the measures taken to de-alert or reduce the operational readiness of nuclear weapon systems; (vi) the number and type of weapons and delivery systems dismantled and reduced as part of nuclear disarmament efforts; (vii) the amount of fissile material for military purposes. The Conference agrees that each session of the Preparatory Committee and the Review Conference should allocate specific time to review the reports submitted by the nuclear-weapon States. The 2020 Review Conference will review the progress made in implementing this reporting mechanism and decide on next steps regarding its further development.

12. The Conference calls upon non-nuclear-weapon States to increase the quality, quantity and consistency of their reports as a contribution to enhanced transparency.

13. Pending the urgent conclusion of an international legally binding instrument on negative security assurances, the Conference encourages all States concerned to ratify the nuclear-weapon-free zone treaties and their relevant protocols and to review any related reservations and interpretive declarations over the course of the next review cycle with a view to their withdrawal. The Conference encourages the parties to the Southeast Asia Nuclear-Weapon-Free Zone Treaty and the nuclear-weapon States to continue to engage constructively in order to resolve outstanding issues.

14. The Conference calls upon the eight remaining States listed in Annex 2 of the Comprehensive Nuclear-Test-Ban Treaty to sign and ratify that Treaty without waiting for any other State to do so. Pending the entry into force of that Treaty and bearing in mind the legacy of health and environmental consequences resulting from nuclear tests and the disproportionate effects on children's and women's health, all States commit to cease and refrain from nuclear-weapon test explosions or any other nuclear explosions, the use of new nuclear weapons technologies and from any action that would defeat the object and purpose of that Treaty, to maintain moratoriums on nuclear-weapon test explosions and to close, dismantle or convert any sites used for nuclear test explosions.

15. The Conference encourages all States parties to contribute to the full development and continued operational maintenance of the international monitoring system and the international data centre of the CTBT, and to the completion and provisional operationalization of the on-site inspection regime by building upon the achievements at the Integrated Field Exercise 2014 in Jordan.

16. The Conference urges States to commence immediately and to conclude rapidly negotiations, before the end of the next review cycle, in the Conference on Disarmament, on a verifiable and non-discriminatory treaty banning the production of fissile material for use in nuclear weapons or other nuclear explosive devices in accordance with the report of the Special Coordinator of 1995 (CD/1299) and the mandate contained therein. These negotiations should take into account in particular all substantive work undertaken during the past review cycle.

17. The Conference encourages all States, including in cooperation with international organizations and civil society, to pursue and intensify efforts to develop nuclear disarmament verification capabilities, taking into account the role of the International Atomic Energy Agency in the area of verification, that will be required to provide assurance of compliance with nuclear disarmament agreements for the achievement and maintenance of a world without nuclear weapons, including through the new and continuing initiatives pursued under the leadership of Norway and the United Kingdom of Great Britain and Northern Ireland, as well as the International Partnership for Nuclear Disarmament Verification initiated by the United States of America. The Conference

notes additional proposals for concrete and practical measures for disarmament verification.

18. The Conference encourages all States, including in cooperation with the United Nations and other international organizations, the Red Cross and Red Crescent Movement, local governments, non-governmental organizations, academic institutions and the private sector, to continue and intensify efforts in the field of disarmament and non-proliferation education to raise the awareness of the public, in particular of younger and future generations, as well as of leaders, disarmament experts and diplomats on all topics relating to nuclear disarmament and non-proliferation, including on the humanitarian impact of nuclear weapons. The Conference also encourages all States to make use of new information and communication technology in these efforts.

19. The Conference encourages all States to engage, without delay, within the framework of the United Nations disarmament machinery, in an inclusive process to identify and elaborate effective measures for the full implementation of article VI, including the legal provisions and other types of provisions required for the achievement and maintenance of a world without nuclear weapons. The legal provisions could be enacted through various approaches, including, inter alia, a stand-alone instrument, which could take the form of a nuclear-weapons-ban treaty or a comprehensive nuclear weapons convention, as referred to in resolution A/RES/68/32, that would include a phased programme for the complete elimination of nuclear weapons within a specified timeframe; a framework agreement comprising mutually supporting instruments that would establish the key prohibitions, obligations and arrangements for time-bound, irreversible and verifiable nuclear disarmament; or other arrangements. Mutually-reinforcing and practical building blocks that can be realized simultaneously could be identified and elaborated in this process.

C. Article V

47. The Conference reaffirms that the provisions of article V of the Treaty as regards the peaceful applications of any nuclear explosions are to be interpreted in the light of the Comprehensive Nuclear-Test-Ban Treaty.